

**Affidavit of Process Server**

08CV1555

BFR Holding LLC, et al. vs Ponte Gadea Florida, et al.

PLAINTIFF/PETITIONER

DEFENDANT/RESPONDENT

CASE #

Being duly sworn, on my oath,

declare that I am a citizen of the United States, over the age of eighteen and not a party to this action.

**Service:** I served

NAME OF PERSON/ENTITY BEING SERVED

with the (documents)  Subpoena with \$

witness fee and mileage

Ernesto Valdes  
Ponte Gadea Florida, Inc.  
X Symmons, Complaint & Civil Cover Sheet

by serving (NAME) Ponte Gadea Florida, Inc.at  Home

Business 1221 Brickell Avenue, #1080, Miami, FL

on (DATE) 3-2008 at (TIME) 1:00PM

Thereafter copies of the documents were mailed by prepaid, first class mail on (DATE)

from (CITY) \_\_\_\_\_ (STATE) \_\_\_\_\_

**Manner of Service:** By Personal Service. By leaving, during office hours, copies at the office of the person/entity being served, leaving same with the person apparently in charge thereof.namely Lissette Henderson - Employee By leaving a copy at the defendant's usual place of abode, with some person of the family or a person residing there, of the age of 13 years or upwards, and informing that person of the general nature of the papers,

namely \_\_\_\_\_

 By posting copies in a conspicuous manner to the address of the person/entity being served.

**Non-Service:** After due search, careful inquiry and diligent attempts at the address(es) listed above, I have been unable to effect process upon the person/entity being served because of the following reason(s):

- |  |  |                                       |
|--|--|---------------------------------------|
| <input type="checkbox"/> Unknown at Address        | <input type="checkbox"/> Evading                             | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Address Does Not Exist    | <input type="checkbox"/> Service Cancelled by Litigant       |                                       |
| <input type="checkbox"/> Moved, Left no Forwarding | <input type="checkbox"/> Unable to Serve in a Timely Fashion |                                       |

**Service Attempts:** Service was attempted on: ( ) \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_, ( ) \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_

( ) \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_, ( ) \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_, ( ) \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_

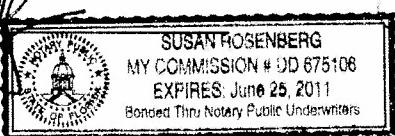
**Description:**  Male  Female  White Skin  Black Hair  White Hair  14-20 Yrs.  Under 5'  Under 100 Lbs.  
 Black Skin  Brown Hair  Balding  21-35 Yrs.  5'0"-5'3"  100-130 Lbs.  
 Yellow Skin  Blond Hair  36-50 Yrs.  5'4"-5'8"  131-160 Lbs.  
 Brown Skin  Gray Hair  Mustache  51-65 Yrs.  5'9"-6'0"  161-200 Lbs.  
 Red Skin  Red Hair  Beard  Over 65 Yrs.  Over 6'  Over 200 Lbs.

OTHER IDENTIFYING FEATURES: \_\_\_\_\_

Florida  
State of Illinois

County of CookSubscribed and sworn to before me,  
a notary public, this 28th day of March, 2008SERVED BY  
LASALLE PROCESS SERVERS

ANSAR ROSENBERG  
NOTARY PUBLIC



McDemott



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

RFR HOLDING LLC and  
CENTURY 21 CHICAGO, LLC

CASE NUMBER: 08 CV 1555

v.

ASSIGNED JUDGE: JUDGE ANDERSEN

PONTE GADEA FLORIDA, INC. and  
CHICAGO MICHIGAN, LLC,

DESIGNATED MAGISTRATE JUDGE COLE  
MAGISTRATE JUDGE:

TO: (Name and address of Defendant)

PONTE GADEA FLORIDA, INC.  
c/o ALINA L. ROJAS  
1221 BRICKELL AVENUE, SUITE 1080  
MIAMI, FL 33131

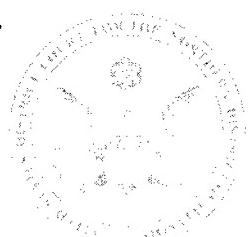
**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

JOCELYN D. FRANCOEUR  
c/o McDERMOTT WILL & EMERY LLP  
227 WEST MONROE, SUITE 5200  
CHICAGO, ILLINOIS 60606

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Michael W. Dobbins, Clerk

*Jacqueline Hallinan*  
\_\_\_\_\_  
(By) DEPUTY CLERK



March 17, 2008

\_\_\_\_\_  
Date

AO 440 (Rev. 05/00) Summons in a Civil Action

**RETURN OF SERVICE**

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE
NAME OF SERVER (PRINT)	TITLE

*Check one box below to indicate appropriate method of service***G** Served personally upon the defendant. Place where served: \_\_\_\_\_\_\_\_\_\_  
\_\_\_\_\_**G** Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: \_\_\_\_\_

**G** Returned unexecuted: \_\_\_\_\_\_\_\_\_\_  
\_\_\_\_\_**G** Other (specify): \_\_\_\_\_\_\_\_\_\_  
\_\_\_\_\_**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_ Date \_\_\_\_\_ Signature of Server \_\_\_\_\_

Address of Server \_\_\_\_\_

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

X

RFR HOLDING, LLC and CENTURY 21  
CHICAGO, LLC,

Plaintiff(s),

Index No. 08 CV 1555

-against-

AFFIDAVIT OF SERVICE

PONTE GADEA FLORIDA, INC. and CHICAGO  
MICHIGAN, LLC,

Defendant(s).

X

STATE OF NEW YORK)

S.S.:

COUNTY OF NEW YORK)

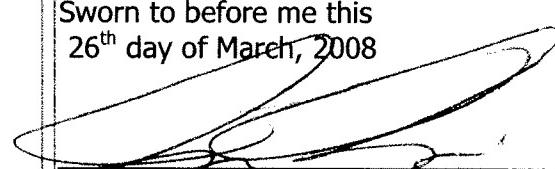
DARRYL A. GREEN, being duly sworn, deposes and says that he is over the age of eighteen years, and he is an agent of LaSalle Process Servers L.P., and is not a party to this action.

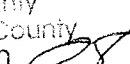
That on the 20<sup>th</sup> day of March 2008, at approximately 2:50 p.m., deponent served a true copy of the **SUMMONS IN A CIVIL CASE, COMPLAINT JURY TRIAL DEMANDED ON COUNT 11 AND CIVIL COVER SHEET** upon Ponte Gadea Florida, Inc. c/o CT Corporation System at 111 Eighth Avenue, New York, NY 10011, by personally delivering and leaving the same with Elaine Bou, Process Specialist, who informed deponent that she is an agent authorized by appointment to receive service at that address.

Elaine Bou is a white female, approximately 40 years of age, stands approximately 5 feet 6 inches tall and weighs approximately 130 pounds with blonde hair and brown eyes.

  
DARRYL A. GREEN #0866535

Sworn to before me this  
26<sup>th</sup> day of March, 2008

  
NOTARY PUBLIC

JONATHAN T. RIPPS  
Notary Public, State of New York  
NO. 01R6109718  
Qualified in Rockland County  
Commission Filed in New York County  
Commission Expires May 17, 2008 

AO 440 (Rev. 05/00) Summons in a Civil Action

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

RFR HOLDING, LLC and  
CENTURY 21 CHICAGO, LLC

CASE NUMBER: 08 CV 1555

v.

ASSIGNED JUDGE: JUDGE ANDERSEN

PONTE GADEA FLORIDA, INC. and  
CHICAGO MICHIGAN, LLC

DESIGNATED  
MAGISTRATE JUDGE: MAGISTRATE JUDGE COLE

TO: (Name and address of Defendant)

PONTE GADEA FLORIDA, INC.  
c/o C T CORPORATION SYSTEM  
111 EIGHTH AVENUE  
NEW YORK, NY 10011

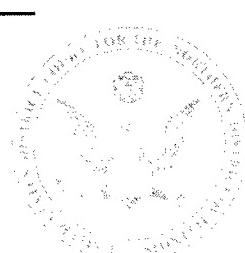
YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

JOCELYN D. FRANCOEUR  
c/o McDERMOTT WILL & EMERY LLP  
227 WEST MONROE, SUITE 5200  
CHICAGO, ILLINOIS 60606

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Michael W. Dobbins, Clerk

*Jacqueline Holdeman*  
\_\_\_\_\_  
(By) DEPUTY CLERK



March 17, 2008

\_\_\_\_\_  
Date

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I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_  
 Date \_\_\_\_\_ *Signature of Server*

\_\_\_\_\_  
*Address of Server*

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.